

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA APPROVING A GRANT OF EASEMENTS,  
LICENSE, AND MAINTENANCE AGREEMENT BETWEEN  
THE CITY OF CHULA VISTA AND HOMEFED VILLAGE 8,  
LLC AND OTAY LAND COMPANY, LLC

WHEREAS, the Grant of Easements, License, and Maintenance Agreements (“GELMA” or “Agreement”) has been negotiated by and between HomeFed Village 8, LLC, a Delaware limited liability company and Otay Land Company, LLC, a Delaware limited liability company, (collectively, the “Owner”), and the City of Chula Vista, a California municipal corporation and charter city (the “City”); and

WHEREAS, in accordance with the Agreement, the Owner agrees, at their sole cost and expense, to maintain, repair, and replace, or cause to be maintained, repaired, and replaced, those public improvements within the Public Areas at a level equal to or better than the level of maintenance which is acceptable to the Director of Public Works; and

WHEREAS, in accordance with the Agreement, the property owners are permitted to assign their obligations under the Agreement to a homeowner’s association or other entity subject to approval by the City; and

WHEREAS, the Agreement requires the Owner and its assignees to maintain insurance and indemnify the City in order to protect the interests of the City; and

WHEREAS, City staff recommends that the City Council approve the GELMA, which is attached hereto as Exhibit “A” and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that it hereby approves the Grant of Easements, License, and Maintenance Agreement, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk, and authorizes and directs the City Manager to execute same.

Presented by

Approved as to form by

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Tiffany Allen  
Director of Development Services

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Glen Googins  
City Attorney